# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

CONCORD MUSIC GROUP, INC., ET AL.,

Case No. 3:23-cv-01092

Plaintiffs,

v.

ANTHROPIC PBC,

Chief Judge Waverly D. Crenshaw, Jr. Magistrate Judge Alistair Newbern

Defendant.

# AMENDED MOTION TO APPEAR PRO HAC VICE FILED ON BEHALF OF ATTORNEY FRANK P. SCIBILIA

Lauren Kilgore, of the law firm Shackelford Bowen McKinley & Norton, LLP, pursuant to Local Rule 83.01(b), hereby moves this Court for an Order granting Frank P. Scibilia of the law firm Pryor Cashman LLP, leave to appear *pro hac vice* for the purpose of appearing as counsel on behalf of *amici curiae* Recording Industry Association of America ("RIAA"), National Music Publishers' Association ("NMPA"), the Association of American Publishers, Inc. ("AAP"), News/Media Alliance, Songwriters of North America ("SONA"), Black Music Action Coalition ("BMAC"), the Music Artists Coalition ("MAC"), Artist Rights Alliance ("ARA"), and American Association of Independent Music ("A2IM") in the above-styled case. In support of this Motion, the undersigned states:

- 1. No disciplinary proceedings by any disciplinary authority or any court or any criminal charges have been instituted against Frank P. Scibilia. Nor has Frank P. Scibilia been subject to a finding of contempt or sanction under 28 U.S.C. § 1927 by any court.
- 2. Pursuant to Local Rule 83.01(b)(1)-(2), the declaration and certificate of good standing of Frank P. Scibilia are filed contemporaneously herewith.

3. Electronic payment has been submitted contemporaneously with this filing of this Motion.

WHEREFORE, the undersigned respectfully requests that this Court enter an Order granting Frank P. Scibilia leave to appear *pro hac vice* for purposes of this action.

Dated: February 15, 2024

Respectfully Submitted,

## SHACKELFORD, BOWEN, MCKINLEY & NORTON, LLP

/s/ Lauren Kilgore

Lauren Kilgore (TN Bar No. 30219)
Jacob T. Clabo (TN Bar No. 36760)
1 Music Circle South, Suite 300
Nashville, TN 37203
P: (615) 329-4440
F: (615) 329-4485
lkilgore@shackelford.law
jclabo@shackelford.law

#### PRYOR CASHMAN LLP

Frank P. Scibilia (*pro hac vice* pending)
Maya B. Katalan (*pro hac vice* pending)
7 Times Square, 40th Fl.
New York, NY 10036
(212) 421-4100
fscibilia@pryorcashman.com
mkatalan@pryorcashman.com

Attorneys for Amici Curiae

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of AMENDED MOTION TO APPEAR PRO HAC VICE FILED ON BEHALF OF ATTORNEY FRANK P. SCIBILIA was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all parties and counsel of record by operation of the Court's CM/ECF system, and via electronic and/or U.S. mail, postage prepaid, on February 15, 2024, to:

Andrew Guerra, Esq.
Jennifer Pariser Esq.
Timothy Seungmin Chung, Esq.
OPPENHEIM & ZEBRAK, LLP
461 5th Avenue, 19th Floor
New York, NY 10017
andrew@oandzlaw.com
jpariser@oandzlaw.com
tchung@oandzlaw.com

Audrey Adu-Appiah, Esq.
OPPENHEIM & ZEBRAK, LLP
4530 Wisconsin Ave. NW, 5th Floor
Washington, DC 20016
aadu-appiah@oandzlaw.com

Matthew J. Oppenheim, Esq.
Nicholas C. Hailey
OPPENHEIM & ZEBRAK, LLP
4530 Wisconsin Ave. N.W., 5<sup>th</sup> Floor
Washington, DC 20016
matt@oandzlaw.com
nick@oandzlaw.com

Steven Allen Riley, Esq. Grace Peck, Esq. Timothy G. Harvey, Esq. RILEY & JACOBSON, PLC 1906 West End Avenue Nashville, TN 37203 (615) 320-3700 sriley@rjfirm.com gpeck@rjfirm.com tharvey@rjfirm.com

Richard Dannay, Esq.
Richard S. Mandel, Esq.
Jonathan Z. King, Esq.
COWAN, LIEBOWITZ & LATMAN, P.C.
114 West 47th Street, Suite 2100
New York, NY 10036
rxd@cll.com
rsm@cll.com
jzk@cll.com

Attorneys for Plaintiffs

Allison Levine Stillman (admitted pro hac vice)
LATHAM & WATKINS LLP
1271 Avenue of the Americas
New York, NY 10020-1345
(212) 906-1200
alli.stillman@lw.com

Sarang V. Damle, Esq.
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
sy.damle@lw.com

Joseph R. Wetzel, Esq.
Andrew M. Gass (admitted pro hac vice)
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
joe.wetzel@lw.com
andrew.gass@lw.com

Aubrey B. Harwell III, Esq.
Nathan C. Sanders, Esq.
Olivia R. Arboneaux, Esq.
NEAL & HARWELL, PLC
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
tharwell@nealharwell.com
nsanders@nealharwell.com
oarboneaux@nealharwell.com

### Attorneys for Defendant

Kevin C. Klein, Esq.
KLEIN SOLOMON MILLS, PLLC
1322 4th Avenue North
Nashville, TN 37208
kevin.klein@kleinpllc.com

Eric P. Tuttle, Esq.
WILSON SONSINI GOODRICH & ROSATI
701 Fifth Avenue, Suite 5100
Seattle, WA 98104
eric.tuttle@wsgr.com

Nicole Saad Bembridge, Esq. NETCHOICE, LLC 1401 K St. NW, Suite 502 Washington, DC 20005 nsaadbembridge@netchoice.org

Attorneys for Amicus, NetChoice, LLC and Chamber of Progress, VA

/s/ Lauren Kilgore
Lauren Kilgore